

clauses in claim 1 refers to the chamber in the context of stating the purpose of the claimed apparatus.

1 (currently amended). An anti-stick device for safely maneuvering an injection needle through the skin for **the purpose of feeding a chamber implanted under the skin**, said needle being bent and having a perforating distal branch and a proximal feed branch which forms a bend with the perforating branch, said device comprising a needle-holding panel, a base panel, and a covering panel forming a wall, said panels allowing said wall to be brought into a configuration in which said needle-holding panel is folded down onto said base panel and in which said covering panel is folded down onto said needle-holding panel and fixed thereto, and to be brought into a configuration in which said needle-holding panel and said covering panel are fixed to one another and are spaced from said base panel and form, between themselves and said base panel, a space which is sufficient to contain said distal branch of said needle, said base panel and said needle-holding panel having respective holes which permit passage of said distal branch of said needle and which coincide when said panels are joined, whereby said distal branch can be introduced into said holes until said proximal branch of said needle rests on said needle-holding panel, said covering panel covering said proximal branch of said needle when said covering panel is folded down onto said needle-holding panel, said base panel (having a central zone surrounding said hole of said base panel and four lateral branches lying opposite one another in pairs and perpendicular to one another in pairs, said needle-holding panel comprising two lateral lugs which can be lifted to permit manual gripping of said device at the time of puncture and at the time of withdrawal of said needle, said base panel comprising a first pair of opposite lateral branches having a curvature **for facilitating application of said first pair of branches on the skin in line with said implanted chamber**, and a second pair of opposite lateral branches of said base panel capable of being bent by

two fingers of one hand **in order to press said second pair of branches onto the skin and said chamber for holding said chamber in place** when the operator withdraws said needle, said needle-holding panel and said covering panel being contiguous, respectively, with of said first pair of branches of said base panel and having a curvature which is the opposite of the curvature of said first pair of branches so as to match the curvature of said first pair of branches when they are folded down onto said base panel.

Although the chamber has been recited several times throughout claim 1, as can be seen above, in each instance the recitation has been a statement of purpose rather than a structural limitation. Accordingly, withdrawal of the Section 112 rejection is respectfully requested.

Claims 1-8 have been rejected on art. Claims 1 and 3-8 have been rejected under 35 U.S.C. § 103 as obvious over Huet in view of Brierly. Claims 2-8 have been rejected under 35 U.S.C. § 103 as obvious over Huet in view of Brierly in view of Knotek. The rejections on art are respectfully traversed and reconsideration is requested for the following reasons.

Huet, believed to be the most relevant of the cited references, describes an anti-stick device for bent injection according to the preamble of claim 1. The aim of the present invention is to improve upon the known device of Huet in order to adapt it to maneuver an injection needle through the skin for the purpose of feeding a chamber implanted under the skin, and to facilitate the withdrawal of the needle while preventing the operator from being punctured and the chamber from being displaced.

Toward that end, the specification adds the following features which are not disclosed by Huet, and which are recited in claim 1 as distinguishing limitations:

1. The base panel of the present invention is manufactured in such a shape that two opposite lateral branches of the panel have a curvature facilitating application of these branches to the skin in line with the implanted chamber;

2. The two other opposite lateral branches of the panel are capable of being bent at will under the pressure exerted by two fingers of one hand in order to press these branches onto the skin and the chamber so as to hold the chamber in place when the operator withdraws the needle with the other hand; and

3. The needle-holding panel and the covering panel are contiguous, respectively, with one or another of the pre-curved branches of the base panel and have a curvature which is the opposite of the curvature of the pre-curved branches so as to match the curvature of the pre-curved branches when they are folded down onto the panel.

Moreover, Huet's device is not intended to be used to maneuver a needle for the purpose of feeding a chamber implanted under the skin.

The above mentioned limitations of claim 1 provide for:

1. easily and fittingly applying the device on the chamber implanted under the skin of the patient;

2. holding the chamber in place when the operator withdraws the needle by hand;

3. facilitating the withdrawal of the needle from the chamber while preventing the operator from being punctured by the needle; and

4. including an elastic deformation of the needle during its withdrawal from the chamber so that, when it exits the opening, it automatically moves away from the opening and protects the operator.

Brierly discloses a member for protecting an intravenous (IV) site on a patient. The member has a flexible base with peripherally extending taping tabs for adhesively securing the protector member about the IV site. The base is curved transversely in order to conform comfortably to the curve of the IV site. As the examiner observed, Brierly's protector member increases stability of the needle and thus the patient's comfort.

Unlike Brierly, the present invention is not concerned with the stability of the needle and patient comfort. The benefits of the invention, as set forth in points 1-4 above, include enhancement of the stability of the underskin chamber, facilitation of the ability to maneuver the needle, and protection of the operator.

Brierly teaches protecting a needle in place on an IV site. This teaching is not applicable to the invention as it would not solve the problems of the prior art. Thus, one skilled in the art

would not look to Brierly to facilitate maneuvering a needle without displacing an underskin chamber.

Finally, nowhere in the cited art is there any mention or suggestion to use a base panel having pre-curved branches or contiguous panels having a curvature which is opposite to the curvature of the pre-curved branches so as to match the curvature of the precurved branches when they are folded down onto the base panel. Brierly only discloses a flexible protector capable of being flexed to contact and conform to the shape of the patient's body for comfort.

From the foregoing it is seen that claim 1 is not obvious over Huet in view of Brierly and is, therefore, patentable. Claims 2-8 depend from claim 1 are also patentable for the reasons advanced with respect to claim 1. Knotek is cited for its disclosure of a hard plastic structure and does not affect the foregoing analysis.

In view of the above, it is respectfully submitted that the application is now in condition for allowance. Early and favorable action is earnestly solicited.

An unpaid fee required to keep this case alive may be charged to deposit account 06-0735.

Respectfully Submitted,

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